

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/7/11
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADELL P. ALLEN,

Plaintiff,

v.

CORTESIA NORMAN et al.,

Defendants.
-----X

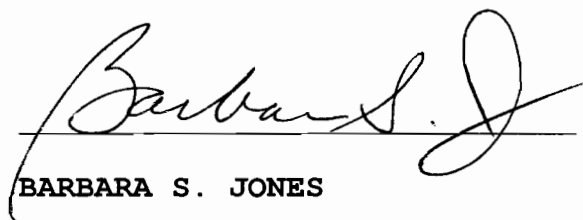
08 Civ. 6041(BSJ) (HBP)
Memorandum & Order

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Having reviewed Magistrate Judge Pitman's Report and Recommendation, dated September 27, 2011, having received no objections from any party, and having found no clear error on the face of the record, I hereby confirm and adopt the Report and Recommendation in its entirety. See *Adee Motor Cars, LLC v. Amato*, 388 F. Supp. 2d 250, 253 (S.D.N.Y. 2005); *Wilds v. United Parcel Serv.*, 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003). The motion for default judgment is DENIED as to Defendant City of Mount Vernon and Defendant David Chong, Commissioner of Police, and GRANTED as to Defendant Ernest Usher. Accordingly, default shall be entered against Defendant Usher and the matter shall be set for an inquest as to him. Additionally, Defendant Cortesia Norman is dismissed from the lawsuit.

The parties' failure to file written objections precludes appellate review of this decision. See *Caidor v. Onondaga Cnty.*, 517 F.3d 601, 604 (2d Cir. 2008).

SO ORDERED:

A handwritten signature in black ink, appearing to read "Barbara S. Jones", is written over a horizontal line.

BARBARA S. JONES

UNITED STATES DISTRICT JUDGE

Dated: New York, New York

November 4, 2011